

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HAYNES et al

Atty. Ref.: 1579-599

Serial No. 09/960,717

Group: 1648

Filed: September 24, 2001

Examiner: Stucker, J.

For: IMMUNOGEN

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Assistant Commissioner for Patents
Washington, DC 20231

February 7, 2003

Sir:

INFORMATION DISCLOSURE STATEMENT

- ☐ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

The following are submitted in the above-identified application in compliance with
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each
identified document and a translation or a concise explanation of
each non-English language document (such as a Search Report) is
enclosed herewith.

This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
 - ☐ a) The required Statement made in item 8 below; or
 - ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
 - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
 - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
 - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
 - ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

HAYNES et al
Serial No. 09/960,717

The Examiner's attention is directed to co-pending U.S. Patent Application No. 09/956,940, filed September 21, 2001, U.S. Patent Application No. 10/289,228, filed November 7, 2002 and U.S. Patent Application No. 10/305,357, filed November 27, 2002, copies of which are attached. The Examiner's attention is also directed to co-pending U.S. Patent Application No. 09/775,805 (corresponding to WO 01/56355).

Respectfully submitted,
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April 28, 2003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

Supplemental to the Information Disclosure Statement
filed April 23, 2003, attached is Form PTO-1449 listing the
enclosed additional documents.

The Examiner's attention is directed to co-pending
U.S. Provisional Application No. 60/397,605, filed July 23,
2002, a copy of which is attached.

This IDS is intended to be in full compliance with the
rules, but should the Examiner find any part of its
required content to have been omitted, prompt notice to
that effect is earnestly solicited, along with additional
time under Rule 97(f), to enable Applicant to comply fully.

Given the payment made April 23, 2003, no further fee is believed to be required but if the Patent Office takes a different view, authorization is hereby given to debit the undersigned firm's Deposit Account No. 14-1140 (1579-599).

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited.

Respectfully submitted,

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY. DOCKET NO.	DIVISIONAL OF SERIAL NO.
	1579-857	09/960,717
	APPLICANT	
	HAYNES et al	
	FILING DATE	GROUP
	August 25, 2003	

U.S. PATENT DOCUMENTS

[illegible]

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OTHER DOCUMENTS (including Patent, Title, Date, Portion# pages, etc.)			
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	Hoffman et al, "Stable exposure of the coreceptor-binding site in a CD4-independent HIV-1 envelope protein", Proc. Natl. Acad. Sci. USA 96:6359-6364 (1999)		
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		5,516,632	5/1996	Palker et al			

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DOCUMENT			DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
		WO 95/29700	11/1995	PCT				
		WO 97/14436	4/1997	PCT				
		WO 93/15750	8/1993	PCT				
		WO 02/024149	3/2002	PCT				
		WO 01/56355	8/2001	PCT				

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	Muster et al, "Cross-neutralizing activity against divergent human immunodeficiency virus type 1 isolates induced by the gp41 sequence ELDKWAS", Journal of Virology 68(6):4031-4034 (1994)
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